

**REMARKS**

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

By the foregoing amendment, claims 9, 12, 15, 18, 21, 24, 27 and 30 have been amended. Claims 1-8, 10, 13, 16, 19, 22 and 25 have been previously canceled. Thus, claims 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24, and 26-32 are currently pending in the application and subject to examination.

In the Office Action mailed August 10, 2006, claims 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24, and 26-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,577,811 to Kikuchi et al. (hereinafter, "Kikuchi") in view of U.S. Patent No. 5,966,495 to Takahashi et al. (hereinafter "Takahashi"). It is noted that claims 9, 12, 15, 18, 21, 24, 27 and 30 have been amended. To the extent that the rejection remains applicable to the claims currently pending, the Applicants hereby traverse the rejection, as follows.

In each of independent claims 9, 12, 15, 18, 21, 24, 27 and 30, as amended, when one of the first identifying information and the second identifying information is changed, the other of the first identifying information and the second identifying information changes relative to and in response to the change in the one of the first identifying information and the second identifying information.

The Applicants respectfully submit that none of the applied art of record, nor combination thereof, discloses or suggests at least the combination of when one of the first identifying information and the second identifying information is changed, the other of the first identifying information and the second identifying information changes

relative to and in response to the change in the one of the first identifying information and the second identifying information, as recited in independent claims 9, 12, 15, 18, 21, 24, 27 and 30, as amended.

For at least this reason, the Applicants submit that independent claims 9, 12, 15, 18, 21, 24, 27 and 30, as amended, are allowable over the applied art of record. As amended claims 9, 12, 15, 18, 21, 24, 27 and 30 are allowable, the Applicants submit that claims 11, 14, 17, 20, 23, 26, 28, 29, 31 and 32, each of which depends from one of allowable claims 9, 12, 15, 18, 21, 24, 27 and 30, are likewise allowable for at least the reasons set forth above with respect to claims 9, 12, 15, 18, 21, 24, 27 and 30.

Furthermore, it is also respectfully submitted that the Examiner has not yet set forth a *prima facie* case of obviousness with regard to the rejection of claims 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24, and 26-32 under 35 U.S.C. § 103. The PTO has the burden under §103 to establish a *prima facie* case of obviousness. In re Fine, 5 U.S.P.Q.2nd 1596, 1598 (Fed. Cir. 1988). Both the case law of the Federal Circuit and the PTO itself have made clear that where a modification must be made to the prior art to reject or invalidate a claim under §103, there must be a showing of proper motivation to do so. The mere fact that a prior art reference could arguably be modified to meet the claim is insufficient to establish obviousness. The PTO can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references. Id. In order to establish obviousness, there must be a suggestion or motivation in the reference to do so. See also In re Gordon, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984) (prior art could not be turned upside down without

motivation to do so); In re Rouffet, 149 F.3d 1350 (Fed. Cir. 1998); In re Dembiczak, 175 F.3d 994 (Fed. Cir. 1999); In re Lee, 277 F.3d 1338 (Fed. Cir. 2002).

In the Office Action, the Examiner merely states that the motivation for combining the references is found in certain advantages stated by the Examiner (see, e.g., Office Action at p. 4, lines 3-7). The Examiner, however, indicates nothing from within the applied references to evidence the desirability of this combination. This is an insufficient showing of motivation.

Moreover, Kikuchi is directed to a DVD application, whereas Takahashi is directed to the non-analogous art of a DV camera. For at least this reason, the Applicants respectfully submit that the DV camera of Takahashi is not properly combinable with the DVD apparatus of Kikuchi. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

### **Conclusion**

For all of the above reasons, it is respectfully submitted that claims 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24, and 26-32 are in condition for allowance and a Notice of Allowability is earnestly solicited.


Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is invited to contact the undersigned representative at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this

communication to Deposit Account No. 01-2300 **referencing client matter number  
107156-09069.**

Respectfully submitted,

Arent Fox, PLLC

  
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Michele L. Connell  
Registration No. 52,763

**Customer No. 004372**  
1050 Connecticut Ave., N.W.  
Suite 400  
Washington, D.C. 20036-5339  
Telephone No. (202) 857-6104  
Facsimile No. (202) 857-6395

CMM/MLC:

Enclosure: Petition for Extension of Time